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Attorneys for Defendants
MILTON BLISS, et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCANVINSKI JEROME HYMES,

Plaintiff,

vs.

MILTON BLISS, et al.

Defendants.

Case No. 16-cv-04288 JSC

**STIPULATED ADMINISTRATIVE MOTION
TO SHORTEN TIME ON DEFENDANTS'
MOTION TO CONTINUE TRIAL;
DECLARATION OF BRIGGS MATHESON IN
SUPPORT; [~~PROPOSED~~] ORDER**

Re: Dkt. No. 73

Trial Date: December 3, 2018

Pursuant to Civil Local Rules 6-2 and 7-12, the parties submit this stipulated request to shorten time for briefing and a hearing on Defendants' motion to continue the trial in this matter. The parties base their request on the following:

1. Trial is scheduled to begin in this case on Monday, December 3, 2018.
2. The Pretrial Conference in this case is currently scheduled for November 20, 2018.
3. Defendants are filing concurrently with this stipulated administrative motion a motion to continue the trial date in this case. As set forth in Defendants' concurrently filed motion to

1 continue, defendants seek a short continuance of the trial to allow ongoing criminal proceedings
 2 against defendants Scott Neu (“Neu”) and Eugene Jones (“Jones”) to resolve. In particular, the
 3 California Superior Court adjudicating Neu’s and Jones’ criminal case will hear on December 14,
 4 2018 a motion to dismiss all of the charges against Neu and Jones. Defendants submit as **Exhibit 1** to
 5 the declaration of Briggs Matheson, submitted herewith, a copy of the motion to continue that they
 6 request to have heard on shortened time. (Declaration of Briggs Matheson in Support of Stipulated
 7 Administrative Motion to Shorten Time (“Matheson Decl.”) ¶ 4.)

8 4. An order shortening time is necessary because without such an order, the motion may
 9 not be heard before trial commences.

10 5. The parties’ request for an order shortening time will not change the trial date.
 11 (Matheson Decl. ¶ 5.)

12 For the reasons stated above, the parties stipulate to the following shortened briefing and
 13 hearing schedule:

- 14 • Defendants’ Motion to Continue Trial: October 26, 2018;
- 15 • Plaintiff’s Opposition due: November 2, 2018;
- 16 • Defendants’ Reply due: November 9, 2018;
- 17 • Hearing on motion: November 15, 2018 at 9:00 a.m. (or as soon thereafter as possible).

18 **IT IS SO STIPULATED.**

19 Dated: October 25, 2018

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 21 DENNIS J. HERRERA
 City Attorney
 22 CHERYL ADAMS
 Chief Trial Deputy
 23 RENÉE E. ROSENBLIT
 BRIGGS MATHESON
 24 Deputy City Attorneys

25 By: /s/ Briggs Matheson
 26 BRIGGS J. MATHESON

27 Attorneys for Defendants
 28 MILTON BLISS, et al.

1 Dated: October 25, 2018

KATON LAW

2 By: /s/ Glenn Katon
GLENN KATON

3 Attorney for Plaintiff
4 SCANVINSKI JEROME HYMES

5 Dated: October 25, 2018

6 By: /s/ Caitlin Kelly Henry
CAITLIN KELLY HENRY

7 Attorney for Plaintiff
8 SCANVINSKI JEROME HYMES
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DECLARATION OF BRIGGS MATHESON

I, Briggs J. Matheson, declare as follows:

1. I am a Deputy City Attorney in the Office of the San Francisco City Attorney, counsel of record for Defendants in the above-captioned action. I submit this declaration in support of the parties' Stipulated Administrative Motion for Shortened Time on Motion to Continue the Trial. I have personal knowledge of the contents of this declaration, except where indicated otherwise, and I could and would testify competently thereto if called upon to do so.

2. On October 22, 2018, the parties' respective counsel met and conferred by telephone to discuss pretrial matters. During the call, counsel for Defendants advised plaintiff's counsel that Defendants intended to file a motion to continue the trial date based on pending proceedings in defendant Scott Neu's and defendant Eugene Jones' criminal matters. Defense counsel asked if plaintiff's counsel would be willing to stipulate to shortening time for briefing and a hearing on the motion. Plaintiff's counsel agreed to so stipulate.

3. On October 23, 2018, I emailed plaintiff's counsel with a proposed expedited briefing and hearing schedule for defendants' planned motion to continue. The parties agreed to the stipulated schedule set forth in the accompanying stipulated administrative motion.

4. Attached hereto as **Exhibit 1** is a true and correct copy of Defendants' concurrently filed motion to continue the trial date.

5. The parties' stipulated request does not change the trial date.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 25th day of October 2018, at San Francisco, California.

/s/ Briggs J. Matheson

BRIGGS J. MATHESON

~~PROPOSED~~ ORDER

Based on the above stipulated motion and for good cause appearing, the Court ORDERS as follows: (1) the deadline for Plaintiff to file his opposition, if any, to Defendants' motion to continue the trial shall be November 2, 2018; (2) the deadline for Defendants to file their reply brief, if any, shall be November 9, 2018; (3) the hearing on Defendants' motion to continue the trial date shall be 20, 2018 at 1:00 p.m.
~~November 15, 2018 at 9:00 a.m., or as soon thereafter as determined by the Court.~~

IT IS SO ORDERED.

Dated: November 2, 2018



HONORABLE JACQUELINE SCOTT CORLEY
United States Magistrate Judge